

Tuesday, June 19, 1984

Spence trial gets under way

By TOMMY WITHERSPOON
Tribune-Herald Staff Writer

Prosecutors in the capital murder trial of David Wayne Spence said Monday that they intend to prove that Spence killed Jill Montgomery and two other teen-agers in July 1982 near Lake Waco in a bobbled murder-for-hire scheme instigated by Muneer Mohammad Deeb.

Six witnesses, including Richard Franks, the father of one of the victims, testified in 54th State District Court Monday, the opening day of testimony in Spence's trial, which is expected to last about a month.

During opening remarks to a jury of eight

women and four men, McLennan County District Attorney Vic Feazell said evidence will indicate that Deeb, charged with three counts of capital murder, too, offered Spence \$5,000 to kill Gayle Kelly, a Methodist Home resident with whom Deeb was linked romantically at the time.

Feazell said Miss Kelly bears an uncanny resemblance to Miss Montgomery, who might have been the victim of mistaken identity when she, Kenneth Franks and Raylene Rice were abducted from Koehne Park and stabbed to death.

Spence, 25, is on trial for the death of Miss Montgomery, but faces two more capital

murder charges in the deaths of Franks and Miss Rice. If convicted, he faces death by injection or life imprisonment.

Deeb, 25, is the former co-owner of the Rainbow Drive-In Grocery near the Methodist Home and became acquainted with Franks and Miss Kelly, who had a "brother-and-sister relationship," while both were residents of the Waco home.

Feazell said that Deeb reportedly took Miss Kelly to Dallas when she decided to leave the Methodist Home and paid for her residence at the Northwood Apartments.

Nicknamed "Lucky," Deeb was jealous of the relationship between Franks and Miss

Kelly and reportedly took out a \$20,000 life insurance policy on Miss Kelly three weeks before the Lake Waco triple homicide, Feazell said. Miss Kelly is expected to testify in Spence's trial.

Franks had a "teen-age love" relationship with Miss Montgomery, who was in Waco on July 13, 1982, with Miss Rice to pick up Miss Montgomery's last paycheck from Fort Fisher.

"Miss Montgomery and Miss Kelly had similar names, Jill and Gayle, both worked at Fort Fisher, both lived at the Methodist

Please see TRIAL, Page 2A

Trial begins with testimony by 6 witnesses

□ From Page 1A

Home, both knew Ken (Franks) and both looked alike. Some people would even confuse the girls," Feazell said.

On the night they died, Miss Rice and Miss Montgomery, who both were living in Waxahachie at the time, paid a "surprise visit" to Franks after they picked up Miss Montgomery's paycheck.

The girls picked Franks up at his house about 8 p.m. and the trio drove to Koehne Park, a popular meeting place for Waco's youth.

They never came home, however.

The teen-agers were discovered bound and riddled with stab wounds in a secluded area of Speegleville Park. The bodies "showed signs of torture," Feazell said, and the female victims had been bitten and sexually abused.

"Evidence will show that David Wayne Spence bragged repeatedly that he did it and detailed how the murders were committed," Feazell said.

The elder Franks testified Monday that he became frantic when his son failed to return home by midnight, the curfew he had established for his son because he was attending summer school.

Franks said Kenneth had not broken curfew before and told the jury that he got out of bed and started searching for his son when he had not returned by 4 a.m.

"I jumped in the car to go look for him and I thought he probably met some friends at Midway or Koehne parks," Franks said. "But in the back of my mind, I felt that he really hadn't done this and that something had happened to him. I knew that something bad had happened."

Franks looked first at Koehne Park, a spot he said his son frequented about three or four times a week. As he approached in the darkness, his headlights flashed on Miss Rice's orange Ford Pinto abandoned at the park.

He said he thought that if something had happened to the teen-agers he should not tamper with the car, so he drove to Midway Park to see if he could locate the teen-agers.

He said at Midway Park, he found another abandoned car and contacted a man on his C.B. radio, who notified the police about the vehicles. He said he expressed his concern about the missing teen-agers when the police arrived, but they told him not to worry.

Franks said after the police left, he went back to Koehne Park to search the car for a way to contact the girls' parents and found his son's keys in the seat of the car.

"I don't have to tell you that a cold chill went up my spine, because I knew then that something had happened to them," Franks said.

Franks said he returned home and contacted some of his son's friends to see if they knew where he was. He also notified the parents of the girls in Waxahachie, he said.

He said when he later contacted the police department to report his son missing, they told him that the teen-agers "are probably out sleeping off a drunk."

Three other witnesses testified that they had seen the orange Pinto drive into the park on the night of the murders.